

---

IN THE SENATE OF THE UNITED STATES.

---

FEBRUARY 27, 1893.—Ordered to be printed.

---

Mr. DANIEL, from the Committee on Claims, submitted the following

REPORT:

[To accompany H. R. 2122.]

The Committee on Claims, to whom was referred the bill (H. R. 2122) entitled "An act for the relief of Cumberland Female College, of McMinnville, Tennessee," which provides for the payment to the college the sum of \$7,500 "in full of all claims of said college for the use, occupation, damage, and destruction of its property during the late war of 1861 to 1865 by the military authorities of the United States in the use of said property during that said period for hospital purposes."

The sum of \$7,500 thus provided to be appropriated is made up of \$5,000, the estimated measure of the damage to the grounds, buildings, furniture, and apparatus of the college, and the sum of \$2,500 as compensation for the use and occupation of the premises.

Your committee recommend that the sum asked as compensation for use and occupation of the premises, to wit, \$2,500, be paid, and to that end that the bill be amended so as to read accordingly.

The incidental damages occurring in various ways from depredations and otherwise they have concluded are not within the precedents usually followed, and it is extremely difficult to assess such damages or to trace the specific manner in which they occurred. The amendment to carry this view of the committee is herewith reported, and a copy of the petition of the college trustees is hereunto appended, marked "Appendix," from which the nature of the claim and its evidence may be more fully gathered.

---

APPENDIX.

CUMBERLAND FEMALE COLLEGE, MCMINNVILLE, TENN.

PETITION TO CONGRESS.

*To the honorable the Senate and House of Representatives of the United States in Congress assembled, Washington, D. C.:*

We, the undersigned, citizens of McMinnville, Tenn., and members of the board of trustees of Cumberland Female College, an institution of learning in active operation under a charter of incorporation granted by the State of Tennessee in the year 1851, having for its object the higher education of young ladies, represent that said institution was organized in 1851 in accordance with the provisions of said

charter, a board of trustees being appointed, and among them a number of these petitioners.

Extensive buildings were erected and furnished with all needed appliances and a most flourishing school was the result. Said school was located within the corporate limits of the town of McMinnville, county of Warren, and State of Tennessee, and was, and is known as Cumberland Female College.

The main building is a substantial brick structure, 118 feet front, 50 feet wide, and three stories high, containing dormitories, teachers' rooms, family rooms, class rooms, music halls, chapel, recitation rooms, library, laboratory, and rooms for exercise, besides outer buildings, used as kitchen, dining room, servants rooms and such other outhouses as were necessary.

The grounds were extensive, containing some 5 acres of beautiful lawn, well shaded, and protected by the necessary fences. The entire cost of buildings and grounds was about \$20,000. The furniture and apparatus cost between \$5,000 and \$6,000. The school thus organized and equipped continued in successful operation until the breaking out of the war of 1861-'65, when it was suspended.

The house and all its belongings were sedulously cared for until some time in the year 1862, when it was seized by the Federal forces and used by them for hospital purposes. It continued to be so used with but short intermission until the close of the war, the town of McMinnville being held during a greater part of that time as a permanent military post. The college building and all belongings had remained undisturbed until the house was occupied as above set forth. The devastation of the property resulting from said occupation is fully set forth in sworn statements accompanying this petition, and which were made by reputable and reliable citizens of McMinnville.

We estimate the damage done to buildings, grounds, apparatus, furniture, and fixtures at from \$5,000 to \$8,000, to say nothing of the long-continued use of the property, worth at a most reasonable estimate not less than \$3,000 more.

In view of the facts and figures thus set forth, and attested by as credible witnesses as can be found in any State, we pray that you carefully consider all the facts involved, and if consistent with your views of proper legislation, you will grant us as the legally appointed trustees and custodians of the Cumberland Female College an appropriation of not less than \$10,000, as a just and fair reimbursement to said Cumberland Female College for the damages and the occupation of the property by the Federal forces as above set forth and described.

Believing that in our desire to be fair and just we have underestimated rather than overestimated the damages sustained, and bespeaking at your hands a fair and impartial consideration of this petition, we humbly pray that you will grant the relief herein asked for.

N. J. FINNEY,  
*President.*

W. C. WOMACK,  
*Treasurer.*

T. C. SMART,  
*Secretary.*

W. L. SWANN,

R. M. REAMS,

G. T. STAINBACK,

J. B. RITCHEY,

J. C. BILES,

J. P. GARTNER,

SAM L. COLVILLE,

C. R. MORFORD,

D. L. BROWN,

M. B. HARWELL,

W. G. BRITAIN,

JAS. S. BARTON,

W. V. WHISTON,

*Trustees.*

STATEMENT OF W. G. BRITAIN, ESQ.

MARCH 10, 1890.

STATE OF TENNESSEE, County of Warren:

I, W. G. Britain, of the county and State aforesaid, do hereby certify that I have been a resident of McMinnville, Tenn., since 1859, except a part of the years 1862 and 1863, when I resided in Rutherford County, this State. I am familiar with the history of Cumberland Female College, of this place, having been for many

years a member of its board of trustees. At the commencement of the civil war of 1861-'65, the school was suspended, the large number of young ladies gathered here from several States returning to their homes. On the closing of the school I moved with my family into the college building, where I remained until January, 1862. When I moved out of the building no damage whatever had been done to the property. The furniture of the boarding department, and all the apparatus, chemical, philosophical, anatomical, and astronomical, were still uninjured. There was also a valuable library and other appliances, none of which had been removed or disturbed.

The value of the library, household and kitchen furniture, apparatus, and general furniture of the school could not have been less than \$5,000 at the lowest estimate. Much of the apparatus had been specially manufactured for the school and was of the best character. Among these was a fine telescope, with a 5-inch object glass, costing not less than \$600. On my return to McMinnville, in 1863, I found the building in possession of Federal forces and being used for hospital purposes. It continued to be so used until the close of the war.

When the war ended and the building was finally vacated by the Federal forces, the building itself was badly wrecked and nearly all the property above described was removed, broken, or totally destroyed.

W. G. BRITAIN.

Sworn to and subscribed before me, O. M. Thurman, notary public, this the 19th day of March, 1890.

O. M. THURMAN,  
Notary Public.

---

STATEMENT OF T. C. SMARTT, M. D.

MARCH 14, 1890.

STATE OF TENNESSEE, *County of Warren* :

I, Thomas C. Smartt, of the aforesaid county and State, do hereby certify that I have lived since the year 1833 in the town of McMinnville and State of Tennessee, and that I am personally familiar with the history of Cumberland Female College in said town. I have been a member of the board of trustees of said college from the inception of the enterprise, in 1850, until the present, and have been the secretary of said board since 1854. This institution is now and has been from the beginning under the auspices of the Cumberland Presbyterian Church. The funds used in the construction of the college building were contributed mainly by the citizens of McMinnville and Warren County, supplemented by considerable sums from persons living in various parts of the territory occupied by said denomination.

The work of building was commenced in the year 1850 and was continued for several years by the patient, persistent, and self-sacrificing efforts of the men having the undertaking specially in charge. In many instances these men, besides giving largely of their moderate means, pledged their own private property to secure payment of borrowed money which was required to push the enterprise forward. The school was organized and began operations as soon as a sufficient part of the building was ready for occupancy.

The work of building went slowly on, it being often long suspended for want of funds, and after many years of earnest struggle, marked with alternating hopes and fears as to final success, the end at length was reached, our noble building was completed, and the school splendidly equipped. A very large and splendid assortment of apparatus of various kinds, a good library, and other necessary school appliances were furnished and paid for. The building, grounds, apparatus, and general furniture of the school cost about \$25,000, as shown by the treasurer's reports now contained in the records of the institution. At the time the war of 1861-'65 began there was a flourishing and prosperous school in the building. When the war broke out the young ladies from this and other States were called home and the school was closed. In the year 1862 the building was seized by Federal forces and appropriated to hospital uses, and was held by them for said purposes during the greater part of the time from that year until the close of the war. The property remained intact until the building was occupied by the Federal forces. When the war closed and efforts began to be made to get the school started again we found scarcely anything left except the building, and that in a greatly damaged condition. From ground floor to garret it was one utter desolation. Doors without shutters, shutters without locks or hinges, broken windows, walls scarred, blackened, defaced, and covered with obscene pictures and writing, broken stairways, filth, stench, and general wreck and ruin throughout the entire structure was as really the condition of the property as it could well be described.

Library, apparatus, and furniture of every kind was scattered, broken, missing, scarcely a vestige of all these remaining. Being without funds, our people impoverished and disheartened, the prospect of resuscitating the institution was anything

but encouraging. Still the effort was undertaken, and for years after the war the struggle to get on our feet again was only equalled by that made before the war to erect the house and equip the school.

T. C. SMARTT.

Sworn to and subscribed before me, O. M. Thurman, notary public, this 21st day of March, 1890.

O. M. THURMAN,  
Notary Public.

---

STATEMENT OF J. P. CLARK.

FEBRUARY 11, 1893.

STATE OF TENNESSEE, *county of Warren:*

I, J. P. Clark, do certify that I have known the edifice called Cumberland Female College, located in McMinnville, Warren County, Tenn., since the summer of 1856. It was then under Mr. Gill's management. I frequently visited the building while Mr. Donnell was principal from 1857 until the war broke out. I visited the building often during the war, while it was used for a hospital by the Union Army. I lived in the building from July, 1865, to December of the same year. When I moved into the building there were eight Union soldiers in it, but they soon moved to another place. During the five months that I remained in the building I saw that the walls had been much injured; they were disfigured by much obscene writing and many obscene pictures. Many of the doors and locks had been broken. Much of the glass was broken, and nearly all the guttering had been torn down. The apparatus—philosophical, chemical, and astronomical—was nearly ruined. I found a few fragments only in the whole building. I did not find a book, map, or chart of any description in the building. Much of the chapel furniture had been carried away or greatly damaged.

I did not find a single cooking utensil nor any tableware in the building.

J. P. CLARK.

STATEMENT OF CAPT. JAMES CLIFT.

In the matter of the occupation and damage to the Cumberland Female College, situated in Warren County, Tenn.:

I, James Clift, aged 78 years, make the following statement: I have resided in McMinnville since 1854. I have known the institution since that time.

I was captain of Company M, of Fifth Tennessee U. S. Volunteer Cavalry.

The Cumberland Female College was successfully conducted up to the late war of 1861-1865.

The school was suspended when the war came up, and I know that Gen. George H. Thomas, of the United States forces, had his headquarters in the building in 1862.

The building then was being occupied by the Federal forces as a hospital. The Army fell back into Kentucky in September, 1862, and returned in July, 1863, when the Federal forces again took possession of the Cumberland Female College building and occupied it as a hospital from that time until February, 1865, by the various Federal forces then in possession of this country. I was frequently at the building, going there to see some of my men who were sick at this hospital. The surgeon of the Eighteenth Michigan had his headquarters in this building and I took my men there and had them inspected as to their fitness to be enlisted in the U. S. Army.

I was detailed by the Army on February, 1865, to come to McMinnville in charge of a detail and wagons to remove the hospital stores, which was done.

I noticed that the fencing, doors, and window glass were very much broken and injured.

The soldiers camped on the campus and grounds of the college, and from my personal knowledge of the college, its grounds, buildings, and furniture before the war, during the war, and after the war I am fully satisfied there was great injury and destruction of its property by the Federal Army while it was thus occupied and used. I was actively in the service of the U. S. Army and can state only generally. I was in and out, and when detailed went where my duties called me.

JAMES CLIFT,  
*Late Captain Company M, Fifth Tennessee U. S. Vol. Cav.*

MARCH 19, 1890.

STATE OF TENNESSEE, *county of Warren:*

Personally appeared this day before me, O. M. Thurman, notary public, James Clift, and made oath in due form of law that the foregoing statement, to the best of his knowledge and belief, is just and true.

O. M. THURMAN,  
Notary Public.

## STATEMENT OF M. B. HARWELL, ESQ.

I, M. B. Harwell, do hereby certify that I have been a resident of McMinnville, Warren County, Tenn., since 1857. I have been intimately acquainted with the history of Cumberland Female College since that time. I was familiar with the buildings, grounds, inclosures, apparatus, fixtures, and general equipment of the school, and personally know that at the breaking out of the war it was in first-class condition and of the best order. There was at that time a most flourishing school in the building, with numerous pupils from Tennessee and adjoining States. During the war I lived on a lot adjacent to the college, my residence being not more than 100 yards from the same.

In 1862 the United States troops had possession of the college building for hospital purposes, and retained possession of it until sometime in the latter part of that year, when the town of McMinnville was evacuated by the Federal forces. I went out with the Union army, remaining within their lines until they reoccupied the town, in 1863. From that time till the close of the war the college building was continuously used by the Federal forces as a hospital.

I had occasion, as a contractor and builder, to observe particularly the condition of the building, both before and after the war.

The damages done by the Federal soldiers while using the house as a hospital, and the grounds as a place of encampment, were about as follows: The fencing was torn away and destroyed, shade trees and shrubbery greatly injured and to a considerable extent destroyed, the kitchen and servants' rooms were made use of as stables for army horses.

The doors were in most cases wrenched from their hinges and broken or destroyed. Door facings, window facings, baseboards, and stairways were torn off or thrown down, and in a great measure destroyed. The window sash, together with the glass, were broken out or badly smashed in all parts of the house. Holes had been punched, evidently by bayonets, through nearly all the plastered partitions.

The walls throughout the house were greatly scarred and disfigured. The fine assortment of school apparatus and other appliances to my certain knowledge was broken up, scattered, or carried off, so that scarcely any remnant of it was left. The damage done to the entire property, as above described, to say nothing of the use of the house for about three full years, would not be overestimated at \$5,000.

I am safe in saying from my knowledge of the cost of subsequent repairs, much of which I did myself, that the whole damage could not have been repaired and the college restored to its former splendid condition for less than \$5,000 at the very lowest estimate.

M. B. HARWELL.

Sworn to and subscribed before me, O. M. Thurman, notary public, March 19, 1890.

O. M. THURMAN,  
Notary Public.

## STATEMENT OF L. F. JEANMAIRE.

In the matter of the occupation, damages, and injury done to the Cumberland Female College, situated in the town of McMinnville, Warren County, Tenn., I. L. F. Jeanmaire, aged 63 years, make the following statement:

I have resided in McMinnville since 1854 to the present time, and have known the Cumberland Female College from that date until the present. That institution was well equipped and was in a flourishing condition up to the late war between the States, 1861-1865.

In 1861 the school was closed; the buildings were occupied in 1863 by Gen Van Cleve as headquarters, and was also used as a hospital for the U. S. Army, which was at that time under the command of Gen. Van Cleve.

I am a jeweler by trade, and I remember very distinctly during that time an inmate and convalescent in said hospital having in his possession the object glass and other lenses of the telescope, and desired me to make a camera so as to make sun pictures. Not being able to assist him, he took the object glass and lenses away with him, stating that they were taken from the telescope of the college, where the hospital then was. He was a Federal soldier. The object glass was from 4 to 6 inches in diameter. Its cost I can not now accurately estimate, but think it was from \$500 to \$600. These glasses were none of them ever returned, and the telescope was thus rendered useless and destroyed.

From that time on this college building was used by the Federal Army as a hospital for its sick and wounded until the close of the war in 1865. From my intimate



acquaintance with this institution of learning before the war, which was in a splendid condition and largely patronized, and from what I knew of its occupation during the war, and its damages and injured condition after the war, I would say that \$5,000 would not have replaced it in its original condition.

It is hard to estimate accurately all the injury that was done.

LOUIS F. JEANMAIRE.

Sworn to and subscribed before me, O. M. Thurman, notary public, this the 19th day of March, 1890.

O. M. THURMAN,  
*Notary Public.*